

**REVIEW REQUIREMENTS CHECKLIST
LONG-TERM CARE**

REVIEW REQUIREMENTS	REFERENCE	COMMENTS	REFERENCE Form/Page/Para.
Misrep of policy/insurer	A.R.S. § 20-443		
False/deceptive ads	A.R.S. § 20-444		
Defamation	A.R.S. § 20-445		
Unfair Discrimination	A.R.S. § 20-448		
Rebates	A.R.S. § 20-451		
Prohibited inducements	A.R.S. § 20-452		
Unfair claim settlements	A.R.S. § 20-461		
Entire contract clause	A.R.S. § 20-1345		
Time limit on defenses	A.R.S. § 20-1346		
Grace period	A.R.S. § 20-1347		
Reinstatement	A.R.S. § 20-1348	Companies often state that they will reinstate the policy 45 days after the date of the application. However, the statute requires the reinstatement to occur 45 days after the date of the conditional receipt, not the date they receive the application.	
Notice of claim	A.R.S. § 20-1349		
Claim forms	A.R.S. § 20-1350		
Proofs of Loss	A.R.S. § 20-1351		
Time of payment of claims	A.R.S. § 20-1352		
Payment of claims	A.R.S. § 20-1353		
Physical exam/autopsy	A.R.S. § 20-1354		
Legal actions	A.R.S. § 20-1355	The law requires that no legal action shall be taken after two years. Some companies merely state that the insured cannot file legal action after their state's statute of limitations has run out. We believe an insured should not have to do legal research to determine his rights under the policy and we require them to put an actual time frame in the policy contract.	
Pretext interviews	A.R.S. § 20-2103	Policy terms cannot require pretext interview.	
Notice of insurance information practices	A.R.S. § 20-2104		
Notification of market research questions	A.R.S. § 20-2105		
Information disclosure authorization forms	A.R.S. § 20-2106		
Investigative consumer reports; rights of individuals	A.R.S. § 20-2107	Insurers often fail to inform the applicant that he has a right to be interviewed as part of the investigation and that he can receive a copy of the report, as required by A.R.S. § 20-2107.	
Individual access to recorded personal information	A.R.S. § 20-2108	The applicant's statement on the application often fails to include a phrase which states that the applicant <u>or his authorized representative</u> can request a copy of the authorization, as required by A.R.S. § 20-2106(9). (emphasis added)	
Correction of recorded personal info; disputed info	A.R.S. § 20-2109		

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Adverse underwriting decisions; disclosure of specific reasons	A.R.S. § 20-2110		
Investigation of previous adverse underwriting decisions	A.R.S. § 20-2111		
Basis for Adverse underwriting decision	A.R.S. § 20-2112		
Limitations on disclosure of personal recorded info	A.R.S. § 20-2113		
Advertisements of Disability insurance	A.A.C. R-20-6-201	Advertising often fails to include limitations and exclusions, as required by A.A.C. R20-6-201(C).	
Unfair Sex Discrimination	A.A.C. R-20-6-209		
Readable and Understandable policy	A.A.C. R-20-6-212		
Unfair discrimination on the basis of blindness, partial blindness	A.A.C. R-20-6-213		
Life and Disability Insurance Policy Language Simplification	A.A.C. R-20-6-216		
Unfair Claims Settlement Practices	A.A.C. R-20-6-801		
		Requirements Specific to Long Term Care	
Limitations	A.R.S. § 1691.02		
Prior institutionalization	A.R.S. § 1691.03		
Outline of coverage; monthly report to insured; certificate	A.R.S. § 1691.04		
Right to return; notice	A.R.S. § 1691.05		
Compliance with article	A.R.S. § 1691.06		
Penalties for violations	A.R.S. § 1691.07		
Incontestability period	A.R.S. § 1691.08		
Policy Definitions	A.A.C. R-20-6-1003		
Policy Provisions and practices; renewability; exclusions, etc.	A.A.C. R-20-6-1004		
Policy Definitions	A.A.C. R-20-6-1003		

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Policy Provisions and practices; renewability; exclusions, etc.	A.A.C. R-20-6-1004		
Inflation protection	A.A.C. R-20-6-1005		
Required disclosure provisions	A.A.C. R-20-6-1006		
Replacement coverage	A.A.C. R-20-6-1007		
Prohibition against post-claims underwriting	A.A.C. R-20-6-1008		
Reserve Standards	A.A.C. R-20-6-1010		
Loss Ratio	A.A.C. R-20-6-1011		
Filing requirements for Group Policy issued in another state	A.A.C. R-20-6-1012		
Standards for Marketing	A.A.C. R-20-6-1013	Advertising often fails to disclose that if a respondent sends in a reply card, they will be contacted by an agent or the company.	
Filing requirements for Advertising	A.A.C. R-20-6-1014		
Standard Format Outline of Coverage	A.A.C. R-20-6-1015		
Requirements to Deliver Shopper's Guide	A.A.C. R-20-6-1016		
Regulation of Medicare Supplement Insurance	A.R.S. § 20-1133		
		Unpublished Requirements	
Reference of ADOI Approval	Unpublished Requirement	We should revise A.A.C. R20-60-201 to state that insurers cannot reference the approval of a rate or form in their advertising or policy forms.	
Personal Suitability Worksheet for LTC	Unpublished Requirement	We should revise A.A.C. R20-6-1013(A) to include language which allows insurers to utilize the following phrase: "State law requires the insurance company to ask you to complete this worksheet to help you and the insurance company to determine whether you should buy this policy." Our current regulations require the agent or company to make reasonable attempts to determine the suitability of a recommended purchase, but does not allow this NAIC model language. Therefore, we have not allowed insurers to use the phrase "state law requires".	

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CERTIFICATION

I, _____, hereby certify that to the best of my knowledge and belief that each form or rate filing involved in this filing: 1) Conforms to all of the applicable requirements outlined above; 2) Contains no provision(s) previously disapproved or required to be corrected and/or revised by the Arizona Department of Insurance; and 3) Does not exceed this insurer's powers, the authority granted by its state of domicile and its Arizona certificate of authority.

Signature of

Officer: _____

Date: _____